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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

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In the Matter of )

Preparation for International )  
Telecommunication Union World )  
Radiocommunication Conference )

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

IC Docket No. 94-31

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**RESPONSE OF PAGING SYSTEMS, INC.  
TO JOINT SUPPLEMENTAL REPLY COMMENTS**

Paging Systems, Inc., by its attorneys and pursuant to Section 1.41 of the Commission's Rules, submits this its Response to the "Joint Supplemental Reply Comments" filed by CTA Commercial Systems, Inc., et al, ("Joint Supplemental Commenters"), in the above-referenced proceeding. While PSI did not file Comments in this proceeding, it is responding to the proposal by the Joint Supplemental Commenters that the FCC permit the 217-218 MHz band to be used for satellite feeder links.

**I. Statement of Interest.**

PSI is a Commercial Mobile Radio Service provider, offering service to the maritime community over an Automated Maritime Telecommunications System ("AMTS") licensed under Part 80 of the Commission's Rules, on the West Coast of the United States from Mexico to Canada, with an application pending in Hawaii. It also has AMTS applications pending on the East Coast from Florida to Maine.

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## **II. 217.5-218 MHz Should Not be Used for Satellite Feeder Downlinks.**

The Joint Supplemental Commenters propose feeder downlinks at 216-216.5 and 217.5-218 MHz. While PSI is not protesting the proposed reallocation of 216-216.5 MHz, it strongly opposes the requested feeder link allocation at 217.5-218 MHz. That band is being used by AMTS operators, and thus, the proposal by the Joint Supplemental Commenters to require CMRS operators to share spectrum with a service which will cause them harmful interference is not in the public interest, will be detrimental to public safety and is adverse to the Commission's effort to bring modern communications to the maritime user. See First Report and Order, 6 FCC 2d 437, 439, (1991).

The Joint Commenters appear to be ignorant of this Commission goal and, further, mischaracterize AMTS service. The Joint Commenters describe the AMTS as "an intermittent push-to-talk radio system used primarily for barge traffic up and down the Mississippi River."<sup>1/</sup> The Joint Commenters describe the services as a "small number of licensed facilities" and further state that AMTS service is "under-utilized . . . due to migration to cellular telephones and other communication systems."<sup>2/</sup> Based upon this erroneous and completely subjective analysis, the Joint Commenters conclude that although there will probably be interference,<sup>3/</sup> it will not be a problem!<sup>4/</sup>

However, AMTS is not "an intermittent push-to-talk system." It is a modern telecommunications network providing both ship-to-shore and shore-to-ship direct dial telephone service, with full telephony, facsimile and data capabilities - just as the Commission envisioned it, in its First Report and Order, supra. The Joint Commenters have confused AMTS with the manual VHF maritime service operating in the 156-162

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<sup>1/</sup> Joint Supplemental Reply Comments at p. 15.

<sup>2/</sup> Id. at 16.

<sup>3/</sup> Ibid.

<sup>4/</sup> Ibid.

MHz band, which has been superseded by the Automated Maritime Telecommunications System. The Joint Commenters are mistaken in their reference to a small number of licensed facilities and in their characterization of AMTS as underutilized and as suffering from migration to cellular telephones and other communication systems. Here again, the Joint Commenters may also be referring to the 156-162 MHz band maritime service. But this is not the case with AMTS service.

Securing the 216-220 MHz allocation for maritime service was a primary objective of the United States in the 1979 World Administrative Radio Conference. This allocation was brought about by the demands of the domestic waterborne industry for improved communications services. That industry is concentrated along the inland rivers transportation network, as well as those AMTS operations developed on the west and east coasts of the United States.

PSI has not suffered from migration of subscribers to "cellular telephones and other communication systems." Because PSI is a modern system, which is equal to or better than, cellular service, its subscribers have not migrated to cellular service, with its high roaming rates.

In sum, the Joint -Commenters' characterization of AMTS as being underutilized is erroneous, as is its description of the service being used "Primarily for barge traffic." AMTS is fully operational and meets Commission objectives for all uses, recreational as well as business. The Joint Commenters do acknowledge the interference potential of feeder downlinks on AMTS operations.<sup>5/</sup> They do not, however, provide any technical analysis of the nature and extent of that interference and it must be presumed on that basis, that the interference would be substantial. This would be against the public interest, would interfere with public safety and would be against the Commission policy enunciated in First Report and Order, *supra*

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<sup>5/</sup> Joint Supplemental Reply at p. 16.

**WHEREFORE**, the above premises considered, Paging Systems, Inc., respectfully urges that the Federal Communication Commission reject the proposal for a satellite feeder downlink allocation in the 217-218 MHz band.

Respectfully Submitted,

**PAGING SYSTEMS, INC.**

A handwritten signature in dark ink, appearing to read "David L. Hill", written over a horizontal line.

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Dated: June 2, 1995

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## **CERTIFICATE OF SERVICE**

I, Gladys L. Nichols, do hereby certify that on this 2nd day of June, 1995, a copy of the foregoing  
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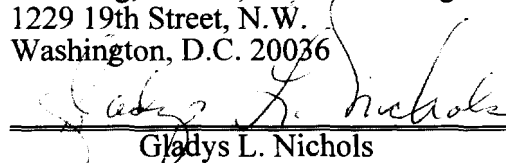
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